

**STATUTORY CHECKLIST [§58.35(a) activities]  
for Categorical Exclusions and Environmental Assessments**

Note: Review of the items on this checklist is required for both Categorical Exclusions under Sec. 58.35(a) and projects requiring an Environmental Assessment under Sec. 58.36. If no compliance with any of the items is required, a Categorical Exclusion [58.35(a)] may become "exempt" under the provisions of Sec. 58.34 (a) (12). In such cases attach the completed Statutory Checklist to a written determination of the exemption. Projects requiring an Environmental Assessment under Sec. 58.36 cannot be determined to be exempt even if no compliance with Statutory Checklist items is found. Three items listed at Sec. 58.6 are applicable to all projects, including those determined to be exempt.

**Project Name and Identification/Location: Michael Carter – # 1748 – 260 Knollwood Drive, New Haven, CT**

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
<b>Document Laws and authorities listed at 24 CFR Sec. 58.5</b>							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This project is currently under review by SHPO and we will take measures to mitigate any adverse effects to the State's cultural resources, if necessary. No construction will begin until any adverse effects are mitigated or a decision of no adverse effects is rendered.
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project involves minor repairs / improvements; the cost does not exceed 50% of the market value of the structure before improvement or repair started, before damage occurred. National Flood Insurance Program (NFIP), Flood Insurance Rate Map (Firm) number 09009C0428H, Revised July 8, 2013, identifies the property at 260 Knollwood Drive, New Haven, CT <u>outside</u> Zone A & AE for a 100 year flood. See attachment 2.
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project involves minor repairs / improvements and United States Fish and Wildlife Services (USFWS), National Wetlands Inventory (NWI) mapping identifies the project site outside the wetland zone. See attachment 3.
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project involves minor repairs / improvements and is outside the coastal boundary. See attachment 4.
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Quality – N/A project does not involve on-site water and sewer facilities.  Aquifers – Project does not increase pre-existing footprint.

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6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is rehabilitation of existing structure. Will have <u>no effect</u> on federally protected species and critical habitat. Consultation with US Fish and Wild life Service or National Marine Fisheries Services is <u>not necessary</u> . Project is located outside Natural Diversity Data Base (NDDDB) areas from CT DEEP. See attachment 6.
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project involves minor repairs / improvements and project site is not proximate to the Eightmile River or the Farmington River West Branch listed in the National Wild & Scenic Rivers System.
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clean Air Act, State Implementation Plan, HUD & EPA Regulations; in general, residential rehabilitation exempted w/no quantifiable increase in air pollution.
9. Farmland Protection [58.5(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A- No change in land use is proposed. Project is located in an urban area.
Manmade Hazards: 10 A. Thermal Explosive [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart C & HUD Guidebook; N/A- Projects does not add density.
10 B. Noise [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart B HUD's The Noise Guidebook; N/A – Activities restore facilities substantially as they existed prior to the disaster. Minor rehabilitation.
10 C. Airport Clear Zones [58.5 (i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart D The residential structure located at 260 Knollwood Drive, New Haven, CT is located outside the runway clear zone of Tweed New Haven Regional commercial airport.
10 D. Toxic Sites [58.5 (i)(2)(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site known as 260 Knollwood Drive, New Haven, CT 1) is not listed on EPA Superfund National Priorities or CERCLA List or equivalent State list, 2) is not located within 3,000 feet of a toxic or sold waste landfill, 3) does not have an underground storage tank (which is not a residential fuel tank) and 4) is not known or suspected to be contaminated by toxic chemicals or radioactive materials. See attached EDR Report. 10D
11. Environmental Justice [58.5(j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Executive Order 12898 The rehabilitation work is compatible with the surrounding residential use and does not anticipate high & adverse human

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							health and environmental effects on minority or low-income populations.
<b>Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns</b>							
12 A. Flood Insurance [58.6(a) & (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	National Flood Insurance Program (NFIP), Flood Insurance Rate Map (Firm) number 09009C0428H, Revised July 8, 2013, identifies the property at 260 Knollwood Drive, New Haven, CT <u>outside</u> Zone A & AE for a 100 year flood. See attachment 2.
12 B. Coastal Barriers [58.6(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The property at 260 Knollwood Drive, New Haven, CT is not located within a Coastal Barrier Resources System unit. See attached map 12B with boundaries from John H Chafee Barrier Resources System maps enacted by law and endorsed by the U.S. Fish and Wildlife Service.
12 C. Airport Clear Zone Notification [58.6(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24 CFR 51 Subpart D 51.303 (a)(3): N/A as project does not involve the purchase or sale of an existing property in a runway clear zone.
13. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation activities to the residential structure at the project site, 260 Knollwood Drive, New Haven, CT, are not expected to affect the capacities of solid waste disposal services.
13 B. Fish and Wildlife [U.S.C. 661-666c]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fish and Wildlife Coordination Act: Program activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water; not a water control project.
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A limited survey of the basement of the site performed by Freeman Companies identifies paints with trace amounts of lead amongst identified painted materials. This should be communicated to contractors disturbing these materials. See attached report for recommendations / requirements. 13C

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13 D. Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A limited survey of the basement of the site performed by Freeman Companies identifies asbestos . If select basement flooring materials are to be disturbed during renovation, a properly licensed asbestos abatement contractor and asbestos project monitor must be utilized. See attached report for recommendations / requirements. 13D
13 E. Radon [50.3 (j) 1]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Radon-in-air testing of the site performed by Freeman Companies on 2-20-15 identifies radon gas <b>ABOVE</b> the EPA threshold of 4 pCi/L. Read conclusions and recommendations in attached report. 13E
13 F. Mold	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A survey of the basement of the site performed by Freeman Companies identifies some active mold within the select areas of the basement. Recommends contracting a qualified mold remediation contractor to clean mold affected areas prior to renovations. See attached report. 13F
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	National Flood Insurance Program (NFIP), Flood Insurance Rate Map (Firm) number 09009C0428H, Revised July 8, 2013, identifies the property at 260 Knollwood Drive, New Haven, CT <u>outside</u> Zone A & AE for a 100 year flood. See attachment 2.
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project rehabilitation work does not propose any adverse impacts to coastal resources nor propose any activities waterward of the Coastal Jurisdiction line (CJL)
14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project is not located within a tidal wetland. Obtaining local wetland approvals, if necessary, will be included within construction Scope of Work.
14 D. Local inland wetlands/watercourses [CGS 22a-42]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Site does not contain known mapped wetlands soil. Project activities do not propose any activities on wetland soils. See attachment 3.
14 E. Various Municipal Zoning Approvals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approvals required by Building Department.

**DETERMINATION:**

- ☐ This project converts to Exempt, per §58.349a(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license. Funds may be drawn down for this (now) EXEMPT project; OR
- ☒ This project cannot convert to Exempt because one or more statutes/authorities requires consultation or litigation. Complete consultation/mitigation requirements, publish NOI/RR OF and obtain Authority to Use Grant Funds (HUD 7015.16) per §58.70 and 58.71 before drawing down funds; OR
- ☐ The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

Prepared by:

Anita Macagno-Cecchetto

06-24-15

Name:

Date

Brett Nicholas

3-6-15

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Date

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3-6-15

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Responsible Entity or designee Signature:

Hermia Delaire, CDBG-DR Program Manager

6/25/15  
Date